

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
MACON DIVISION**

LATASHA DORSEY, as Administrator	)	
Of the Estate of AMOS HUBBARD	)	CIVIL ACTION FILE
	)	NO. 5:21-CV-00435-MTT-CHW
Plaintiff,	)	
	)	
v.	)	
	)	
MICHAEL MCMUNN, DNP,	)	
	)	
Defendant.	)	
	)	

**DEFENDANT MICHAEL MCMUNN, DNP’S SUPPLEMENTAL  
MOTION IN LIMINE**

COMES NOW Defendant Michael McMunn, DNP (“Defendant McMunn”) and supplements his motions in limine as follows. This motion is intended to supplement, not supersede Defendant McMunn’s original motions in limine, which he reasserts and incorporates herein by reference. (Doc. 54.)

**4. Plaintiff Should Be Precluded From Suggesting That Defendant McMunn Caused or Contributed to Mr. Hubbard’s Death.**

While this action was pending, Mr. Hubbard died as the result of hypertensive heart disease with arteriosclerotic coronary vascular disease. Nothing in Mr. Hubbard’s autopsy suggested that his foot condition played any role in his death, or that any act or omission of Dr. McMunn caused or contributed to Mr. Hubbard’s death. Indeed, this case does not involve a wrongful death claim, nor does the Plaintiff have standing to assert such a claim. Nonetheless, Plaintiff has recently

asserted outside of Court that Mr. Hubbard's death resulted from medical neglect by Dr. McMunn. Because there is absolutely no evidence in support of this assertion, it has no probative value, and if any such suggestion is made at trial, it is likely to significantly confuse the issues and mislead the jury, resulting in unfair prejudice to Dr. McMunn. See Fed. R. Evid. 403.

Accordingly, Dr. McMunn respectfully requests that this Court order Plaintiff, her counsel, and her witnesses not to make any argument, statement, or reference before the jury which might suggest that Dr. McMunn in any way caused or contributed to Mr. Hubbard's death.

This 17th day of September, 2024.

By: /s/ Mary Ellen A. Lighthiser  
MICHAEL D. FLINT  
Georgia Bar No. 264725  
MARY ELLEN A. LIGHTHISER  
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## CERTIFICATE OF SERVICE

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I certify that on this day I filed the within and foregoing DEFENDANT MICHAEL MCMUNN'S SUPPLEMENTAL MOTION IN LIMINE using the CM/ECF System for the federal District Court for the Middle District of Georgia. Further, a true and correct copy of the foregoing was sent to the following via electronic mail to the following counsel of record:

Malcolm A. Palmore, Esq.  
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This the 17th day of September, 2024.

/s/ Mary Ellen Lighthiser  
Mary Ellen Lighthiser  
Georgia Bar No. 105407

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